

Issued: July 12, 1960

One comment received requested that consideration be given to exempting turbine-powered airplanes under 35,000 pounds maximum certificated takeoff weight from the requirements of this rule. The FAA classifies all airplanes of more than 12,500 pounds maximum certificated takeoff weight as large airplanes. The newer turbine-powered air-

[illegible]

planes are capable of operating at high speeds and at high altitudes. The FAA, in its notice of proposed rule making, explained that it was proposing this regulation specifically to encompass all of the newer types of high-speed turbine-powered airplanes, whether certificated to operate above or below 25,000 feet, since they are frequently subjected to similar atmospheric forces. The Agency remains convinced that all large turbine-powered airplanes should be equipped with flight recorders. Accordingly, the rules adopted herein make no exception for any turbine-powered airplane of more than 12,500 pounds maximum certificated takeoff weight.

This amendment also clarifies the FAA's intent to require continuous operation of the flight recorder from the instant the airplane starts its takeoff roll until it has completed its landing roll at an airport. Operation of the recorder is not required during taxi operations to or from the runway. Interested persons have been afforded an opportunity to participate in the making of this regulation and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, Part 42 of the Civil Air Regulations (14 CFR Part 42) is hereby amended effective August 18, 1960, except as otherwise specified: (1) By deleting paragraph (c) of § 42.22, (2) by redesignating § 42.22a as § 42.22b, and (3) by adding a new § 42.22a to read as follows:

**§ 42.22a Flight recorders.**

(a) An approved flight recorder which records at least time, altitude, airspeed, vertical acceleration, and heading shall be installed in accordance with the following requirements:

(1) On all airplanes of more than 12,500 pounds maximum certificated takeoff weight which are certificated for operations above 25,000 feet altitude; and

(2) On and after November 1, 1960, on all turbine-powered airplanes of more

than 12,500 pounds maximum certificated takeoff weight; *Provided*, That, the Director, Bureau of Flight Standards, or his authorized representative, may extend the November 1, 1960, compliance date for any air carrier who, prior to September 1, 1960, submits to the Federal Aviation Agency in writing a request for approval for such an extension, together with substantiating data, which shows to the satisfaction of the Director or his authorized representative:

(i) That the air carrier will be unable to comply with the November 1, 1960, date due to flight recorder procurement or installation problems, and;

(ii) The action the air carrier has undertaken to insure that a progressive installation of the required flight recorder equipment will be completed at the earliest practicable date following November 1, 1960. In no event will the November 1, 1960, compliance date be extended beyond May 1, 1961.

(b) When a flight recorder is installed it shall be operated continuously from the instant the airplane commences the takeoff roll until it has completed the landing roll at an airport.

(c) Recorded information shall be retained by the air carrier for a period of at least 60 days. For a particular flight or series of flights, the information shall be retained for a longer period if requested by an authorized representative of the Administrator of the Civil Aeronautics Board.

(d) In the event of failures of the flight recorder, the airplane may continue flight to the next stop where repairs or replacements can be made.

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(Secs. 303, 313(a), 601, 604, 72 Stat. 747, 752, 775, 776, 49 U.S.C., 1344, 1354, 1421, 1424)

E. R. QUESADA,  
Administrator.

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